

RUBINSTEIN & COROZZO, LLP
COUNSELORS AT LAW

RONALD RUBINSTEIN
JOSEPH R. COROZZO

CARLA SANDERSON

260 MADISON AVENUE
22ND FLOOR
NEW YORK, N.Y. 10016

TELEPHONE (212) 545-8777
FAX (212) 679-1844

August 15, 2012

VIA ECF

The Honorable Jack B. Weinstein
United States District Court
Eastern District of New York
United States Courthouse
225 Cadman Plaza East
Brooklyn, New York 11201

Re: United States v. Michael Scarpaci
Docket No. 10-cr-480 (JBW)

Dear Judge Weinstein:

I write to respectfully request an extension of my client's September 12, 2012 surrender date until January 2013. Mr. Scarpaci is currently being supervised by the probation department for the instant matter and is serving a term of supervised release pursuant to a recent conviction in the Southern District of New York. As a result of that conviction Mr. Scarpaci was incarcerated for 16 months in 2010 and 2011. A good portion of that time is credited to the current sentence and leads us to believe that Mr. Scarpaci will serve approximately eight to ten more months once incarcerated on the instant case.

Since his release from the Bureau of Prisons Mr. Scarpaci has been gainfully employed. The request for an extension of his surrender date from September 12, 2012 until January 2013 is to enable Mr. Scarpaci to continue working to save money to support his four children during his upcoming incarceration and to help them cope with their mother's employment beginning in September 2012. (See letter from Danine Scarpaci attached). Mr. Scarpaci's boss at Infinity of Manhasset also submitted a letter requesting Mr. Scarpaci be permitted to continue working for the company through the end of 2012 which will assist him in securing employment upon his release. (See letter from David J. Fine attached).

Mr. Scarpaci has been in compliance with his New York state probation, federal court supervised released and pre-trial release, and has proven to be compliant with all release conditions. The probation department (by Officer Harry Collins) has been contacted regarding

this request and takes no position. The Government (by AUSA Roger Burlingame) has been contacted and they do not consent to this request.

Very truly yours,

/s/Joseph Corozzo
Joseph Corozzo

Cc: All counsel via ECF

August 8, 2012

Honorable Judge Jack B. Weinstein

United States District Court

225 Cadman Plaza East

Brooklyn, New York 11201

Dear Honorable Judge Weinstein,

I am writing this letter on behalf of my husband, Michael Scarpaci, as well as myself and our 4 children. Michael is due to report to Fort Dix on September 12, 2012 and I am humbly requesting an extension until January of 2013.

I am the mother of four small children ages 2 to 9 and have been a hands -on stay at home mom for the last 9 years. In preparation for the events to come, over the last year I have returned to school and received my certification to work with students with disabilities. I will be going back to work this coming September so that I can help ease the financial burden my family will endure in the coming years, however if Michael was allowed to continue to work until January 2013 he will be able to continue to set aside his wages to lift some of this burden from my family.

Unfortunately the burden my children are facing is more than financial. Our children will be terribly affected by the absence of not one, but two parents at the same time, with no period of adjustment while I establish myself as a working mother and their father is also away. I am afraid that the confusion and sadness that they will experience in their daily lives will affect them for years to come. It breaks my heart for these innocent children to have their lives so abruptly uprooted with no time for transition. I believe by delaying Michael's absence it will allow them more time to adjust. Of course, at no time will it be easy for them to have their father away, however having both parents absent from their daily lives will be a great hardship to them.

Your Honor, my family is facing a situation that no one should have to cope with, however Michael is ready to respectfully comply with the requirements of the court. Your kindness and empathy for our children in granting my request for an extension until January of 2013 will surely benefit the welfare of my family and help alleviate the hardship we will experience.

Respectfully,

A handwritten signature in cursive script that reads "Danine Scarpaci". The ink is dark and the signature is fluid, with the first name "Danine" and last name "Scarpaci" clearly distinguishable.

Danine Scarpaci

INFINITI OF MANHASSET

1225 Northern Boulevard
Manhasset, NY 11030
(516) 773-1000



August 8, 2012

Honorable Judge Jack B. Weinstein

United States District Court

225 Cadman Plaza East

Brooklyn, New York 11201

Dear Honorable Judge Weinstein,

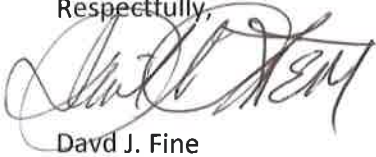
Sir, please allow me to introduce myself. My name is David Fine and I am the Executive Manager at Infiniti of Manhasset. I am writing this letter to you on behalf of Michael Scarpaci. As I understand, Michael is scheduled to report to the Bureau of Prisons on September 12, 2012. You should know; that since Michael came to work for us he has been upfront and honest about his situation with the courts.

Michael came to work for us on March 1st, 2012 as a Sales Manager and he has had a tremendous impact on our organization. This past July, Infiniti of Manhasset had its best new car sales performance since we acquired the store 7 years ago, due largely in part to Michael's hard work and dedication. The impact he has made on our organization cannot be quantified; and I am humbly requesting your consideration in allowing Michael to finish out the year with us through January 2013.

If your Honor were able to grant such a request, it would enable us to secure his position during his time of absence. Michael has become an integral part of the new sales process he has helped implement during his tenure here with very positive results. If allowed to remain with us until the end of the year it will give us ample opportunity to finish well above our factory objectives for 2012, affording Michael that upon his release from the Bureau of Prisons he's guaranteed a position within our organization.

In the time that Michael has been with Infiniti of Manhasset he has become a trusted employee, I would like to see afforded every kindness the court can offer him, and appreciate your consideration in this matter.

Respectfully,



David J. Fine

Executive Manager

Infiniti of Manhasset